

REMARKS

Claims 1, 3 and 10-15 will be pending in this application after this Amendment and Response is entered. Claims 1-3 stand rejected. Claims 4-9 have been withdrawn from consideration. Claims 2 and 4-9 have been canceled. Claims 1 and 3 have been amended. Claims 10-15 have been added.

Priority

The Examiner stated that the status of the priority application should be updated to reflect that U.S. Application Serial No. 09/111,470 has issued as U.S. Patent No. 6,277,959. Applicants have amended the first paragraph of page 1 of the specification according to the Examiner's suggestion.

Specification

The Examiner has objected to page 12, line 23 of the specification because the sequence of ASGPRm does not have a sequence identification number. Applicants have amended page 12, line 23 of the specification to identify ASGPRm as SEQ ID NO: 12. The Sequence Listing has also been amended to include SEQ ID NO: 12. Support for the amendment can be found, for example, on pages 12-13 of the specification. Accordingly, no new matter has been added.

The Examiner has objected to page 12, lines 23-24 of the specification because the sequences DCMP2s, DCMP2l and DCMP2v are not identified by sequence identification numbers. Applicants have amended page 12, lines 23-24 of the specification to identify DCMP2s as SEQ ID NO: 13, DCMP2l as SEQ ID NOs: 3 and 4, and DCMP2v as SEQ ID NOs: 9 and 10. The Sequence Listing has also been amended to include SEQ ID NO: 13. Support for the amendment can be found, for example, on pages 7, 12 and 13 of the specification and in the Sequence Listing. Accordingly, no new matter has been added.

The Examiner has objected to page 54, line 32 of the specification because the sequence hDCMP1 is not identified by a sequence identification number. Applicants have amended page 54, line 32 of the specification to identify hDCMP1 as SEQ ID NO: 2. Support for the amendment can be found, for example, on pages 7, 54 and 55 of the specification and in the Sequence Listing. Accordingly, no new matter has been added.

Sequence Listing

Applicants have amended the Sequence Listing to add SEQ ID NOs: 12 and 13. SEQ ID NO: 12 refers to ASGPRm. Support for SEQ ID NO: 12 can be found, for example, on pages 12-13 of the specification. SEQ ID NO: 13 refers to DCMP2s. Support for SEQ ID NO: 13 can be found, for example, on pages 7, 12 and 13 of the specification. Accordingly, no new matter has been added.

Rejections under 35 U.S.C. § 112, second paragraph

Claims 1-3 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Specifically, the Examiner has stated that the claims remain directed to non-elected inventions. Accordingly, claim 1 has been amended to refer only to SEQ ID NO: 2. In addition, claim 2 has been canceled. Furthermore, claim 3 has been amended to depend only from claim 1. Therefore, applicants submit that claims 1 and 3 are not indefinite. Accordingly, withdrawal of the rejection of claims 1-3 under 35 U.S.C. § 112, second paragraph, is respectfully requested.

Claims 1-3 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Specifically, the Examiner has stated that the phrase "at least about 85% sequence identity" is indefinite. Accordingly, claim 1 has been amended to delete the term "about".

Support for the amendment can be found, for example, on page 26, lines 12-39 of the specification so no new matter has been added. Therefore, applicants submit that claims 1 and 3 are not indefinite. Accordingly, withdrawal of the rejection of claims 1-3 under 35 U.S.C. § 112, second paragraph, is respectfully requested.

New Claims 10-15

New claims 10-15 have been added. Support for the new claims can be found, for example, on pages 3-4, 7-8 and 26 of the specification and in the sequence listing. Accordingly, no new matter has been added.

CONCLUSION

Applicants submit that the claims are not indefinite. Accordingly, reconsideration of the rejections and allowance of the claims at an early date are earnestly solicited.

If the undersigned can be of assistance in addressing issues to advance the application to allowance, please contact the undersigned at the number set forth below.

Respectfully submitted,



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